MORE MEN BEFORE MORE SHIPS

MECESSITY FOR AN INCREASE OF THE NAVAL PERSONNEL.

Secretary Moody Thinks It Is Unwise to Build More Ships Until Congress Provides Men to Man Them-Not Enough Men for Ships Now in Commission.

WASHINGTON, Sept. 18 .- The initial step toward the determination of the character of the recommendations to be made to the President and Congress by the Navy Department concerning the further increase of the navy was taken to-day by Secretary Moody in directions to the Board on Construction to consider this important matter and submit its views at the earliest time practicable. Mr. Moody told the board that in discussing the naval construction programme it should have regard for the present lack of officers and men, and determine whether it was wise, on account of the embarrassing shortness of personnel, to build more ships until an adequate increase in the commissioned and enlisted forces had been provided by Congress. The board was told also to express its opinion on the advisability of asking Congress to appropriate for new ships every two years instead of every year, the policy up to this

To correct any misapprehension that may exist on the subject, it may be said that Mr. Moody favors an increase in the number of ships. He regards as more important than that, however, the pressing question of an increase in the commissemed personnel. There are not enough officers for the ships now in commission, and with many other vessels nearing completion, the embarrassment of the Department in finding full complements for them is increased greatly. Mr. Moody is therefore obliged to determine whether it is the part of wis dom to ask Congress to give more warships when there are no officers, or too few officers,

From present indications it is unlikely that the Secretary will place himself on record as wanting an increase in the fleet until Congress shows a disposition to increase both the commissioned and en-listed personnel. His service on the Ap-propriations Committee of the House of Representatives and his acquaintance will the legislative leaders are expected to serve him in good stead in making Congress appreciate the necessity of augmenting the raval service. It is believed that the policy in both houses in regard to naval affairs at the coming legislative session will be arranged by personal and informal conferences between President Roose-yelt, Secretary Moody and the Congress leaders, as in this way a better and more effective demonstration of the needs of the navy can be given than through the usual method of having the principal naval officials appear before the Appropriations

Moody's experience in the House taught him that the biennial short session is so taken up with the consideration of matters of immediate importance that many questions involving new policies are pushed aside and must go over until the long session. He is therefore unwilling to risk the chance of killing legislation for the absolute necessary increase in personnel by complicating it with legislation for an increase of the fleet.

His idea is that the increase in the commissioned and enlisted forces must come irst, and that accomplished, Congress can, nrst, and that accomplished, Congress can, if there is time and the tendency is in that direction, take up the matter of augmenting the fleet. It was for these reasons that he called on the Board on Construction to express its views as to the advisability of submitting a building programme only at the long assisten.

only at the long session.

To assist him in making Congress understand and appreciate the need of more fficers and men the Secretary has directed reau of Navigation to prepare stateinadequate is the present personnel for keeping in commission the many ships now or soon to be available or service. These statements will indicate list, the number of officers and men required for ships now in service, the ad-ditional number required to give full com-plements to these ships, the additional number required for ships now under construction, and the number that will be required if there is a gradual increase in the fleet. It will be shown also how many officers and men will become available for service through placing out of com-mission such ships as are not required for active duty and old ships which must be permanently retired within a short time.

Natavo Indians Not in a Starving Condition.

WASHINGTON, Sept. 18. Secretary Hitchcock said to-day that there was absolutely no truth in the accounts published saving that the Navajo Indians were rapidly approaching a period of starvation, and tha unless substantial aid was rendered by th Government distress and loss of life would He said that there had been great at in the country occupied by the Vavajos for the past three years, and that Indians and white settlers alike were suf-fering heavy losses and much inconvenience esult, but that in no manner were th people nearing starvation or loss of life

Cuba's Receipts and Expenditures. WASHINGTON, Sept. 18.-The following

showing of Cuban receipts and expenditures n August has been received at the State Department from H. G. Squiers, United States Minister at Havana: Customs, \$1,075,367,31; po

\$30,683,10; postal orders, \$33,400; internal revenue, \$54,341,57; miscellaneous receipts, \$13,078,71; refunds, \$28,859,39; police courts. \$3,937 17; total receipts, \$1,239,048,34. On hand July 31, 1902, \$1,061,156.82; total, \$2,309,205.16. August disbursements, \$1,269,957.93; balance band Aug. 31, 1902, \$1,039,247.23.

Gen. F. D. Grant Sails From Manila

WASHINGTON, Sept. 18. The War Department has been notified of the sailing of the transport Logan from Manila, Sept. 16, for San Francisco, with Brig.-Gen. Fred-etick D. Grant and six troops of the Ninth Cavalry, and 123 sick, 8 insane, 187 casuals and 55 discharged soldiers.

"NO ORDINATION, NO CHICKEN." Ministers Who Refused to Ordain the

Rev. Mr. Stout Pay for Their Meals. WASHINGTON, N. J. Sept. 18.- The Central Eaptist Association met at Junction yesterday to ordain the Rev Amos Stout as a and the Rev. Mr Stout had delivered his ordination address when the ceremony

was suddenly postponed indefinitely
After the Rev. Mr. Stout's address the
Rev. Mr. Finn Moderator, announced an executive session of the ordination committee. What occurred in that session is not known to the general public, but when it was over the Rev. Mr. Finn told the congregation that the rest of the cere-mony had been indefinitely postponed and that a committee of five had been appointed to take up the subject and repor The new minister has made himself popular with his people in the few weeks he has been in Junction and they did not understand the postponement. The audience reluctantly left the church Some ence reluctantly left the church. Some of the ladies of the congregation had prepared to entertain the twenty-three visiting guests; but, after the service, they held a caucus outside and decided to postpone that, too. "No ordination, no chicken," was the way one old lady put it. The ministers nearly all dined at the hotels at their own expense.

Where the Wife Was a Business Woman. Justice Steckler appointed Benjamin Tuska referee yesterday to pass upon the accounts of Mrs. Nina M. Nutting, wife of Thomas B. Nutting, who is an inmate of the New Jersey State Asylum for the In-

THEATRICAL NEWS. A Gibson Girl in a Play-Lote Fuller Hurt

-Mrs. Osborn's Activity. A Gibson girl is a character in "The Billionaire," a musical farce that Klaw & Erlanger will produce in New Haven or Oct. 6 and bring to New York, probably to Daly's, later in the season Eleanor Kent, formerly in "Foxy Quiller," will have the part. The play is by Harry B. Smith, with nusic by Reginald De Koven, and will have Jerome Sykes as its star.

The fence that has been hiding the front of the new Belasco Theatre, formerly the Republic, has been removed, and passers-by were able to see for the first time the details of the new entrance. It is strikingly artistic. The lattice work and high swinging doors of antique iron and the massive marquis awning of iron and glass that extends from the portico to the curb, make an imposing frontage. If the interior of Mr. Belasco's new theatre is as fine as its ex-

terior it will certainly figure among the most beautiful playhouses in America. Loie Fuller, who was to have started another tour of the American vaudeville theatres at Hyde & Behman's in Brooklyn, cabled yesterday that she had met with a serious accident that will prevent her sailing from France for several weeks. She will fill her contract for this country later

Mrs. Robert Osborn is doing things. has not engaged Jameson Lee Finney to head her comedy company, as was said, and Burr McIntosh has decided not to desert his photograph gallery for the stage of the Osborn Playhouse. She has bought a musical farce to follow "Tommy Rot." with which she will open her theatre, not be-cause she lacks confidence in that piece, cause she lacks confidence in that piece, but because she wants to be prepared for the worst. The latest is unnamed. Its music is by Cliften Crawford, an actor, who wrote "Nancy Brown," and the words are by Melville Baker, who made the play that Joseph Hart and Carrie De Mar used, "Foxy Grandpa." Mrs Osborn's latest engagement for her stock company, in which she will have Fletcher Norton and Blanche Ring, is J. Hayden Clarendon. and Blanche Ring, is J. Hayden Clarendon, who played Cyril Scott's parts in one of the Florodora" organizations

SHOT THE ROBBER DEAD. Man Who Tried to Hold Up a Railroad

Operator Killed Instantly. FORD CITY, Pa., Sept. 18 .- Carl Reichard, telegraph operator in the office of the Allegheny Valley Railroad Company at his place, is wounded and a robber is dead as the result of a daring attempt o rob the railroad office last night. The perator was attending to his duties when he window suddenly opened and a man appeared. He was a stranger, but before the operator could ask any questions he was covered with a revolver and ordered throw up his hands. He hesitated and hade a move toward his desk, and the

robber fired, according to the operator.
Reichard showed remarkable nerve and
fearlessness. With the gun still covering him he leaned toward his desk and succeeded in grasping his revolver. Quickly wheeling, he fired. The man dropped to wheeling, he the floor and died almost instantly. Two companions outside made their escape. Part of Operator Reichard's left ear was shot off.

Reichard telegraphed to Pittsburg asking

to be relieved and remained at his post until officers arrived. The dead robber was identified as Charles Andrews, a notorious crook, released about a year ago from a Western penitentiary after serving a term

FOR A FORGIVEN KISS, 6 CENTS. Policeman Must Pay Though Forgiven.

for Kissing on a Cold Morning. Miss Theresa Heavey, a servant living n Cooper avenue, Upper Montclair, got an award of six cents damages in the First District Court of Newark yesterday, for the indignity of being kissed by a Montclair policeman in a hallway. She sued for \$300. The defendant was Officer Thomas J. Dockery.

She accused him of caressing her in the where she was waiting for a car. It was at 6 o'clock upon a cold and slippery mornand Miss Heavey had been at a party all night. She asked the policeman when the next car for Upper Montelair would come along. He told her, and invited her to go into the council room of the Doremus building and make herself comfortable. She would go no further than the hallway and sat down there. After fifteen minutes policeman returned, and sitting down beside her put his arms around her and kissed her. She told him that she would make an example of him and asked name. Dockery said his name was Walters, and he afterward received a letter from her and called upon her at the house where she was employed.

The letter was read in court. In it she told of a former liking for policemen and forgave him for the kissing.

PICTURES ON THEIR TICKETS. Boston and Maine Issues a New Rule About Commuters.

ROSTON, Sept. 18.-The Boston and Maine Railroad has taken unusual steps to prevent the use of season tickets by persons other than the ones to whom they are issued. A circular issued by the passenger department of the road says:

"On account of the many abuses of season ickets which have been brought to our attention, it has been decided that hereafter all season tickets reading between points where the three months' rate is \$50 and over shall bear the photograph and autograph of the person in whose name they are issued. Intending purchasers they are issued. Intending purchasers will, therefore, present, when ordering tickets, an unmounted photograph of recent date, in size 2 \(\chi \) inches. Agents will forward photographs to this office with the order, carefully noting whether it is a good likeness or not; if not, refusing

same.
"If the ticket is presented by any to whom the description would not apply, it must be lifted, name and address of holder ascertained and full report forwarded to this office with the ticket

CORONER'S CLERK DISMISSED. Kelly Had Been in the Department Ten

Years Absent Without Leave. The Board of Coroners of the Borough of Manhattan held a meeting yesterday and passed a resolution dismissing John minister. A large audience had gathered Gilbert Kelly, clerk to Coroner Jackson, from his \$2,000 a year office. He had been connected with the office for ten years. A charge of being absent without leave was preferred against Kelly. He was active in Tammany politics on the lower West Side.

A few weeks ago the Board of Coroners made an application to the Municipal Civil Service Board to have the position of private clerk placed on the exempt list but the application was denied. The coroners will contest this decision in the

NEW THEATRE IN HARLEM, With a Boof Garden-It's for Vaudeville

and Comite Opera. The Harlem Auditorium Amusement Company, of which Nelson Roberts is general manager, will soon begin the erection of a vaudeville theatre and roof garden on the southeast corner of Seventh avenue and 126th street. The promoters hope to have the building completed by March,

nave the building completed by March, 1993. It will contain a large rathskeller, an auditorium and a roof garden. The theatre will hold 2,000 persons, seat-ing 900 on the main floor. Four elevators will reach the roof, which will be equipped with as complete a stage as the theatre proper. The promoters intend to produce vaudeville, comic opera and spectacular entertainments. The cost of the building and ground is estimated at \$600,000. ane. Nutting was a prosperous insurance roker, and Mrs. Nutting has continued his

SECRETARY ROOT IS ON DUTY.

IN THE BEST OF HEALTH AFTER HIS TRIP TO EUROPE.

He Says He Doesn't Know Anything About American Politics, as He Has Been Out of the Country, but He Taiks About His Trip and His Experience at Carisbad.

WASHINGTON, Sept. 18. After an absence duties at the War Department to-day ooking fresh, and said he felt a hundred er cent. better than when he wentaway. Mr. Root appears to be in the best of health. His stay at Carlsbad, where he followed a medical regimen, greatly benefited him. When he left Washington in July he was very much run down physically, but today he showed that he was vigorous and strong and better able than ever to undergo another campaign with Congress.

Mr. Root told THE SUN reporter that he did not know anything about American politics, because he had been out of the ountry so long and had not seen many newspapers. He said he did not know anything more than he had read in the press about Speaker Henderson's declining to run again for Congress, and for that reason could not express any views on the subject. It was his impression, however, that the Philippine question was not exciting any interest.

"No," said Mr. Root, "I didn't talk poli-

ties or American political policies with public men in Europe, because I didn't see any public men long enough for the purpose and nobody asked me to talk on purpose and hobody asked me to talk on such subjects. In fact, the only foreign officials I met were military men. I spent two days in Paris as the guest of Gen. Porter, our American Ambassador, and there met Gen. André, the Minister of War, who impressed me as a very able man. He sent the General commanding the Department of the Lower Seine to meet me when I arrived in France. From Paris I went to Carlsbad, joining my family, where I was under regular medical treatment. Everybody gets up in Carlsbad at 6 in the morning. The banks open then and from 6 to 8 o'clock the band plays. That is the busiest time in the day there. There was hardly a night that I did not get to bed by 16.

Mr. Root was asked if there was any get to bed by 1e.

Mr. Root was asked if there was any nterest shown by the people he met at 'arlsbad in the Philippines and other

American questions. American questions.

"The principal thing I heard talked about there," he answered, "was the best place to buy ham. Ham was prescribed as a regular article of diet at Carlsbad."

Of the recent army and navy war game Mr. Root talked interestingly. He said he believed the game would result in teach-ing the army and navy a great many valua-ble lessons and he hoped it would be re-peated every year. They were of incal-culable benefit to the army, he said, and would be greatly as if only serving to accurawould be so even if only serving to arouse interest in the work in which military men are engaged. While he was away Mr. Root was asked by Gen. André to witness the French army manœuvres, but he declined.

COURT UPHOLDS CORONERS.

Rules That the Charter Gives Each the Right to Appoint His Own Physician.

Justice Greenbaum in the Supreme Court esterday denied an application, made by Stephen E. Whitman, for a writ of mandamus to compel the Board of Coroners o recognize him as a Coroner's physician Whitman held such a place in Staten Island up to Dec. 31 last, when he was retired and placed on the preferred list of suspended employees. A vacancy occurring in May last, the Civil Service Commission certified Whitman to the Board of Coroners

Justice Greenbaum holds that the section of the city Charter covering the matter gives to each coroner the right personally hall of the Doremus Building on Feb. 4. and in refusing the writ of mandamus where she was waiting for a car. It was pronounces the certification made by the Civil Service Commission to be erroneous

At the same time Justice Greenbaum granted a writ to Dr. Otto H. Schultze, who has been seeking the place made va-cant by the retirement of Dr. Hamilton Williams. The writ directs the Civil Service Commission to certify Dr. Schultze's name to the Board of Coroners for appointment as physician.

WON'T CALL EXTRA SESSION. Gov. Longino Unable to Help Solve In-

surance Problem in Mississippi. NEW ORLEANS, Sept. 18 .- Gov. Longing Mississippi this morning issued a statement declining to call the Mississippi Legis lature in extraordinary session to repeal the valued policy clause in the insurance laws. The statement says that the legisators, in replies to his circular letter, decline to repeal any part of the law except as relates to cotton, and that the insurance companies decline to change that specific ule of insurance and will not issue blanke licies if nothing but the clause relating cotton is repealed.

The Governor, therefore, thinks the Legislature could not grant the desired relief from the present trouble, and concludes by expressing regret that he cannot be of assistance in finding a solution of the difficulty.

DR. FITCH OUT OF BELLEVUE. Resigns to Travel First and Then Resume Private Practice.

Dr. Allen Fitch of 38 West Fifty-sixth street resigned from the staff of the insane pavilion in Believue Hospital yesterday, and his resignation was accepted. He will pend a year abroad and then devote himself

private practice. Dr. Fitch would not talk about his resignation yesterday, and no information could be obtained at the hospital. Supt. Stewart would not even admit that the

resignation had been received.

It was runored at the hospital last night that Dr. H. Valentine Wildman of 108 West Ninety-fourth street had also resigned. Dr. Wildman denied the report.

FIRST RICE WILL ENFORCED. Court Gives the Estate to the Executors

Named in It-Patrick Protests Vain. Surrogate Fitzgerald signed an order esterday turning over the whole estate

William Marsh Rice, of whose murder Lawyer Albert T. Patrick was convicted, to the executors named in the will which was probated several months ago. The executors are James A. Baker, Jr., John D. Bartine and W. M. Rice, Jr. They will be required to furnish bonds amounting, probably, to more than \$7,000,000. This will was expected as Society 26, 126. will we executed on Sept. 26, 1896. Surro-gate Fitzgeruld's order puts an end to all Patrick's efforts to obtain the estate under so -called will of June 30, 1900

Institute of Christian Science Incorporated.

ALBANY, Sept. 18.-Articles of incorporation of the Manhattan Institute of Christian Science of New York city were filed with the Secretary of State to-day, the objects being to maintain an institute in which instruction will be given in the "science of instruction will be given in the "science of mental, moral and physical regeneration, according to the teachings of the Bible, as interpreted by the Christian Science Text Book, 'Science, and Health with Key to the Scriptures,' by Mary Baker G. Eddy." The directors are William D. McCraekan, Mrs. Mary E. Shears and Charles J. Minturn of New York city.

Momen Who Bress Fashlonably

keep up to date by tending the fashion notes and studying the dress idustrations printed on the woman's puges of THE SUNDAY SUN and THE EVENING SUN—Adv.

EIGHT-HOUR LAW INVOLVED. The Question of its Constitutionaitty is

Before the Court of Appeals.

ALBANY, Sept. 18 .- A return in a case on appeal was filed with one clerk of the Court of Appeals to-day, which will bring before the court for the first time, in a direct way, the question of the constitutionality of the Eight-Hour law. The case in which the return was filed is that of the people of the State against the Orange County Road Construction Company, appellant nearly two months, most of which time | and the court will probably hear arguments

spent in Europe, Secretary Root resumed (of counsel on the case in November. Heretofore in the two cases decided by the highest court in which the Eight-Hour law, was an issue, the constitutionality of the law The Orange County Road Construction Company had a centract with the State and the Orange County Board of Supervisors in July, 1901, to build the road through the town of New Windsor in accordance with

the State Good Roads law. It is asserted that the company employed its laborers for ten hours, contrary to the State law. Dis-trict Attorney Powellson of Orange county had the company indicted by the Grand Jury for a misdemensor for working the men for more than eight hours in violation of Subdivision 1, section 384, of the Penal Code, which declares such action to be misdemeanor, punishable by a fine of less than \$500 nor more than \$1,000 for each offence. Attorney William Van Ames, for the com-

pany, demurred to the indictment and the County Court of Orange county gave judgment, sustaining the demurrer, agreeing with counsel that that section of the Penal Code was unconstitutional. This judgment was reversed on appeal by the Appellate Division, Second Department, and the present appeal was then taken to the highest court.

"DISORDERLY CONDUCT."

There is No Such Crime, According to Justice Wilmot Smith's Pecision.

In ordering the release of two prisoners brought before him vesterday on writs of habeas corpus, Justice Wilmot M. Smith of the Supreme Court, sitting in Long Island City, held that in committing them to jail for a term of thirty days Magistrate Mathew J. Smith exceeded his power, there being "no such crime as disorderly conduct The only proper course for the Magistrate to have taken, Justice Smith held, was to bind the men over to keep the peace for a specified term, or else hold them for trial before a court of competent jurisdiction on some specific crime or misdemeanor.

The section of the Charter which is held to allow the commitment of persons for "disorderly conduct" was held not to have weight, as there was no such crime as "disorderly conduct" mentioned in the Criminal Code. Assistant District Attornev O'Leary had argued that "disorderly conduct" was a quasi-criminal offerce and therefore the Magistrate had the power to

commit to jail for a specified time. The court held this ground untenable.

The case in which the ruling was made was that of Thomas Kelly and Thomas Murray, who were arrested in Long Island City on Aug. 23 by Patrolman McMullen.

They declared that less than an hour before They declared that less than an hour before their arrests they had quit work as dock builders at the foot of Thirty-fourth street and had only just crossed to Long Island City. They were sentenced to ninety days in jail. They engaged Newell & Beechold to reopen their case. Mr. Newell averred that their commitment was illegal.

SYRACUSE BANK FAILS.

The New York State Banking Company Closes Its Doors.

SYRACUSE, Sept. 18.-The New York State Banking Company is in the hands of State Bank Examiner George S. Leonard and its doors are closed pending an investigation. President R. A. Panta says that he believes that its depositors will be paid 100 cents on the dollar. The stockholders will probably lose heavily The immediate failure last week of the Onondaga Dynamo | 000. ompany and of the recent failures of W.
Gere and Danziger Bros., the bank being heavy holders of the paper of all three

firms.

The last quarterly statement of the bank gives its assets as \$676,761.09 and its liabilities as \$620,633.75, with a surplus of \$20,000 and undivided profits of \$38,127.34. \$20,000 and undivided profits of \$38,127.34. The capital stock is \$100,000, held by fourteen stockholders. President Banta has been connected with the institution for forty-six years and is one of the best-known bankers in central New York. The bank was founded in 1852 as the Burnet Bank by the late N. F. Graves. Mr. Graves was precident until his death a few years ago, when Mr. Banta succeeded him.

Frederick Wright of New York, owner of the "York State Folks" theatrical company, vesterday nurchased a New York.

vesterday purchased a New York draft for \$1,000 at the bank, and will he take his chances with the rest of the

CONTRACT READY FOR P. B. R. It Ought to Get Through the Hoard of Aldermen Late Next Month.

The Rapid Transit Commissioners by a unanimous vote vesterday approved the amended Pennsylvania tunnel franchise, to which on Tuesday the conferees with the exception of President Cantor, who did not vote, agreed. There was no discussion upon it. Counsel to the board were directed to forward the contract to the Pennsylvania company for acceptance and when this formality has been com-plied with it will be sent to the Aldermen In consequence of the political conventions the Aldermen decided yesterday not to meet again until Oct. 7, so a final vote or the franchise will not be taken until about

the end of next menth. A. J. Cassatt, president of the Pennsylvania Railroad, resumed his duties at the Broad Street S ation in Philadelphia yesterday after a month's vacation, spent at Bar Harbor. Me. He said that his first attention would be paid to the question of building into New York. His intention was to effect an entrance into New York city under any reasonable circumstances. He said that the Pennsylvania Railroad would undoubtedly come to an agreement with the New York e ty authorities

The high pressure continued on the North At lantic coast, throwing off northeasterly winds, which brought on rain and fog along the New England and Middle Atlantic coasts. Cloudy and showery conditions also prevailed in the Lake regions, Ohio, Tennessee and the Lower Mississippi valleys, due to a trough of low pressure covering those sections. West and northwest of the Mississippi the pressure was high, the weather clear and cooler.

The temperature was from 6 to 18 degrees lower in Washington, Montana, the Dakotas and Minne-sata, the temperature touching from 2 to 6 degrees below freezing point in the morning. In the Atlastic States it was slightly warmer. In this city the day was cloudy and rainy; wind, fresh northeast: average humidity, 91 per cent. ter, corrected to read to sea level, at 8 A. M.

The temperature yesterday as recorded by the official incrmometer, and also by THE SUN's the: mometer at the street level, is shown in the an

nexed table: -Official - Sun's 1907, 1961, 1902, 9 A. M. - et' - 65' - 61' - 6 p. M. - 65' - 59' - 65' 12 M. - 63' - 61' - 65' - 61' - 6 p. M. - 65' - 59' - 65' 2 I'. M. - 63' - 62' - 63' - 9 p. M. - 65' - 59' - 63' 2 I'. M. - 63' - 62' - 63' - 12' Mid. - 65' - 59' - 63' WASHINGTON PORECAST FOR TO DAY A TO TO MORROW For eastern New York and New Jersey, shineers to day: fresh east to north winds; fair to morrow. For New England, sagwers to day: Wight to fresh east winds on the coast; fair to morrow. For the District of Coumbia, Maryland, Dela

fair to morrow; variable winds.

For New Jersey, showers to day; light to fresh east to north winds; fair to-morrow. For western Pennsylvania and western New York, showers and cooler to-day; light to fresh northeast winds: fair to-morrow

ware and eastern Pennsylvania, showers to day

SEASHORE DIVORCE CASE

FOLLOWS HUSBAND'S UNEX-PECTED VISIT TO THE BEACH.

Wallace B. Hunter Says He Found His Wife Paneing With the Corespondent-Mrs. Hunter Makes Charges Involving Three Girls in Hunter's Restaurant

Wallace B. Hunter, who runs a restaurant at 3 Beekman street, is suing in the Supreme Court for an absolute divorce, but his bill does not give the name of the corespondent. Mrs. Hunter's lawyer argued a motion before Justice Gildersleeve resterday to compel the other side to disclose the identity of the corespondent

Lawyer Robinson, on behalf of Hunter, declared in answer that it was impossible to give the desired information. Mr. Hunter," said Robinson, "was too busy pummelling the man to learn his

Mrs. Hunter has started a counter suit in which she names as corespondents three young women who are employed

in the restaurant. The Hunters were married eleven years ago. They lave no children. Hunter remained in town this summer and Mrs. Hunter went to Highland Ecach, N. J. On the night of duly 27 Hunter and his brother-in-law, Frederick Schreeder, went down to Highland Leach unexpectedly and found, as Hunter alleges, that Mrs. flunter was dancing with a strange man in one of the back pavilions. Hunter and Schroeger, according to the affidavits, followed her when she left the pavilion

man and tegan his divorce suit.

In her amdavit and counter suit Mrs In her amdavit and counter suit Mrs. Hunter enters a general denial, and asserts that Hunter had had improper relations with Lulu Simes. Mary Spellman and Mary White, girls employed in the Feekman street restaurant. These young women will avail themselves of the law which allows a corespondent to appear as a defendant. They deny Mrs. Hunter's charges absolutely. Justice Gildersleeve reserved decision Justice Gildersleeve reserved decision in Mrs. Hunter's motion for a bill of par-iculars and also on her application for alimony and counsel fee.

with her companion. Hunter thrashed the

NATIONAL FRIENDS MEETING. Orthodox Quakers About to Organize Central Council.

The New York Yearly Meeting of Ortho dox Friends is leading a movement for the organization of a general body to be called a Five Year Meeting, which will bind American Orthodox Quakers into one denomination. Till now New York and every other yearly meeting has been independent of every other. The delegates from the New York Yearly Meeting to this new Five Year Meeting are James Wood. Mount Kisco; Albert K. Smiley, Mohawk Lake: Elmer D. Gildersleeve, Poughkeepsie; Robert M. Ferris, New York; H. R. Keates, Glens Falls: Robert I. Murray, Chappaqua; Mary L. Chase, Poplar Ridge; Emelie N. Burgess, Highland, and Elias G. Minard, Poughkeepsie. The Five Year Meeting is to be held in Indianapolis next month.

There are 23 000 Orthodox Friends in the

Is to be held in Indianapolis next month.

There are 93,000 Orthodox Friends in the country. Fully 35,000 of them live in Indiana, and the next strongest States are Ohio, lowa and Kansas, Pennsylvania having only 4,400. There are thirteen yearly meetings, of which ten have assented to the new plan, and Iowa and Ohio will unquestionably do so, but Pennsylvania will not.

UNDERGROUND RIGHTS, \$241,000. City Could Get the Whole Thing, Sky-High,

for \$350,000. William Barclay Parsons, chief enginee to the Rapid Transit Commission, reported yesterday that John Wanamaker and the trustees of Sailors' Snug Harbor had agreed to sell the easement under the property owned by them between Eighth and Ninth streets, facing on Fourth avenue, for \$241,

The fee of this property could have been bought by the city for about \$350,000, but the Aldermen several weeks ago turned down the proposition. The Belmont-McDonald syndicate was willing to contribute \$75,000 toward the purchase price, and had the Aldermen agreed to the project the surface of the ground would have been ised for a plaza.

Mr. Wanamaker and the Sailors' Snug

Harbor trustees stipulate that the founda-tions of the excavation under the property shall be made strong enough to bear fourteen-story building. This would mean an additional outlay of about \$30,000. Comptroller Grout and Charles Stewart Smith were appointed a committee to ascertain if \$241,000 is a fair price for the ease-

FOR EVERY

Price \$1.00 CUTICURA SOAP, to cleanse the skip of crusts and scales and soften the thickened cuticle, CUTICURA OINTMENT, to instantly allay itching, inflammation, and irritation, and soothe and heal, and CUTICURA RESOLVENT PILLS, to cool and cleanse the blood. A SINGLE SET of these great skin curatives is often sufficient to cure the most torturing, disfiguring, itching, burning, bleeding, crusted, scaly, and pimply skin, scalp, and blood humours, with loss of hair, when all else fails.

Millions of People USE CUTICURA SOAP, assisted by CUTICURA OINTMENT, for preserving, purifying, and beautifying the skiu, for cleansing the scalp of crusts, scales, and dandruff, and the stop-ping of falling hair, for softening, whitening,

and soothing red, rough, and sore hands, fo

haby rasies, itchings, and chadings, and for all the purposes of the toilet, bath, and nurs-ery. Millions of Women use Curicuna SOAP in the form of baths for annoying irritations, inflammations, and excertations, or too free or offensive perspiration, in the form of washes for ulcerative weaknesses, and for many smallye, antiseptle purposes which readily suggest themselves to women. Curreura RESOLVENT PILLS (Chocolate Coated) are a new, tasteless, odorless, eco-nomical substitute for the celebrated liquid CUTICURA RESOLVENT, as well as for all other

blood pur fiers and humour cures. In acrow-cap vials, containing 60 doses, price 2%. Sold throughout the world, Soap, Me. Olstudyr, to Prins Re. British Depot: Mr. Clarteshouse Sq. ondon. French Lepot: S tim de la Pels. Peris. Pot-sa Daco & Christ. Coar., Sole Props. Resion. U. & &



KISSED, YES; HUGGED, NO. Music Teacher Weiner, Arrested, Doesn't

Tell Why He Didn't Do Both. Victor B. Weiner, 35 years old, of 297 Classon avenue, Brooklyn, was arraigned before Magistrate Naumer in the Myrtle Avenue court yesterday on a charge of disorderly conduct in hugging and kissing Miss May Windom, 15 years old, of the same address.

Did you kiss her?" asked the Magis-

"Yes," Weiner answered, "but I did not hug her."
"The kiss simply went asiray, I suppose," and the Magistrate.

Miss Windom told the Court that Weiner, who is married and has four children, lives in the flat below that occupied by herself and her father. On Wednesday afternoon, she said. Weiner, who is a music teacher, entered the Windom flat and found her alone, suffering from a toothache. She alleged that he drew her down on his knee and hugged and kissed her.

She broke away from him and ran out of the house, staying in a store nearby until it was time for her father to return from his work.
A summons was secured and later a formal

complaint was ordered made by the Court. Weiner pleaded not guilty and the case was set down for Sept. 25. Weiner was WHITE WAS SHAW.

Identification by Brother-in-Law, Who Said Shaw Deserted the Navy. ORANGE, N. J., Sept. 18 .- William Kelly of Davenport, Ia., arrived in East Orange to-day and identified "Clarence A. White. who was shot by Edward Taylor, as his

brother-in-law, Curtis O. Shaw. Until he enlisted for the Spanish-Amerian War Shaw lived with his sister, Mrs Kelly. After the close of the war he enlisted in the navy. Word came to the Kellys from the ship's officers in South America that Shaw had deserted. This is supposed to have caused him to change his name to White. The man's body was buried, after Mr Kelly had identified it, in Rosedale Ceme-

Soft Sugar Up Five Points. The American Sugar Refining Company and B. H. Howell, Son & Co. advanced their prices for soft sugar grades Nos. 8, 9 and 10

ART SALES AND EXHIBITIONS

tery, Orange.

EXHIBITION OF PLASTIC CERAMICS

and churches, to be held at the studio of PETER McEWAN, Glearidge, N. J., From Sept. 18th 27th.

AMUSEMENTS TO INSURE PROPER CLASSIFICA. TION IN THE SUNDAY SUN, ADVERTISEMENTS MUST BE HANDED IN NOT LATER THAN 6 P. M. SATURDAY.

DALY'S DANIEL FROHMAN
NEXT MONDAY NIGHT AT 8 P. M.

New musical play by the authors of SAN TOV and THE GEISHA, entitled A COUNTRY **GIRL**

MATINEFS WEDNESDAYS AND SATURDAYS
BOX OFFICE OPEN 9 A. M. UNTIL 6 P. M. DREW

EMPIRE THEATRE, Broadway & 40th St.

Wed. Mats. begin next week.

Wed. Mats. begin next week.

Wed. Mats. Sat.

Wed. Mats. begin next week.

Wed. Mats. begin next week.

To be the Munity And

THE HUMMING BIRD. GARIELEK THEATRE, Sot. St., near B way.
Evenings, 8:50. Matiness Wed. & Sat. 2:15.
THERE'S MANY A SLIP.

in a new play. AUNT JEANNIE. CRITERION THEATRE, B'way & 44th St. Last 2 nights, 8:15. Last Mat. Sat., 2:15. W. H. CRANE as DAVID HARUM XTRA—NEXT TUESDAY EVG. CHARLES FROMMAN WILL PRESENT VIRCINIA HARNED IN A. W. PINERO'S LATEST PLAY, IRIS SEATS NOW ON SALE.

EVENINGS, 8:18. Mailing Saturday.

MRS. PATRICK CAMPBELL

MADISON SQ. THEATRE, 24th St. & BWAY. THE GREAT LAUGHING NOVELTY. Evgs. 8.20. Mat. Sai. 2:15. THE NEW CLOWN NEW SAVOY THEATRE, 34th St. & Bway 150TH TIME OCT. 3 SOUVENIRS.
Eves. M.B. Mathees Wed. & Sal. 2:15
ROBERT EDESON, SOLDIERS
OF FORTUNE

KNICKERBOCKER Theatre, B way & 38th St To-Night at 8:10, Precisely. Mat. Sat 2:10. The Hogers Brothers in Harvard PASTOR'S CONTINUOUS. 20 2 30 CTs. THE MORTONS-SAM, KITTIE, CLARA (PAUL, H. V. Fitzgerald, Post & Clinton-others

HARPERS Pictures by the illustrator of "Lord Faun-DOOR Teroy" NEW LAND STORIES FOR CHILDREN ROBERT W. CHAMBERS Delightful stories Author of "Cardigan" told by the robin, the butterfly, etc., to two little children. Beautifully illustrated, cover, type and pictures in tint and colors. HARPER & BROTHERS

Franklin Square, New York RARE-History of Flagellation: Mell Flanders; oltaire, Apuleius's Golden Ass. PRATT, 161 6th av.

AMUSEM ENTS.

NHY VISIT PROCTOR'S ? 25c. 50c. FIFTH AV.—Minnie Seligman, Jas. E. Wilson and Permanent Stock in the Drury Lane Sensation, "The Great Ruby." Original Scenery. Great Cast. 23RD ST.—Geo Evans. Louis Simon & Co. and Big Bits in Continuous Vaudeville SSTHST.—"Mr. Walker's Ward" and Grand Vaudeville. 125TH ST.—Adelaide Kelm. Ned Howard Fowler and Favorite Stock in "The Banker's Daughter." Vaudeville led by A. O. Duncan. All LAUGHTER. EVERY AFTERNOON AND EVENING.

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BEST STOCK COMPANIES IN NEW YORK.

ALL THE OLD FAVORITES RETAINED.

CASINO Broadway | EV'GS AT 8:1L. "A CHINESE HONEYMOON" HERALD SQUARE Broadway Only Matthee

Jefferson DE ANGELIS Company THE EMERALD ISLE ONLY MATINEE SATURDAY.

BELASCO THEATRE & Broadwa OPENS MON., DAVID BELASCO will pre-SEPT. 29TH. Sent for a limited season MRS. LESLIE CARTER Du Barry Seats for opening night only by subscription, checks being made payable to David Belasco. Prices (opening night only), all orch. & 1st bal., \$3.00. BOX OFFICE OPENS at 9 A. M. NEXT MONDAY.

NEW PIC. 8-15. Mais. Wed. 4 Sat., 2-15.
PORK PICE'S LATEST SURPRISE.
SITPENDOUS SUCCESS. KING HICHBALL reat Co. of artists, including MARIE DRESSLET Grand chorus and ballet. Seats 4 weeks ahead.

OLIVER TWIST VERY DE BROADWAY THEATRE, 41st St. & Broadway.
The Pet of B'way.
Geo. W. Lederer's Musical Novelty Joy. SALLY OUR ALLEY

MATINEE TO-DAY DEWEY JOLLY GRASS WIDOWS Sunday Night-Grand Concert-25c., 50c. Manhattan Theatre, B'way & sad St. Evgs. 8:20: Mat. Sat., 2:15. CAPTAIN MOLLY A RATTLING GOOD COMEDY."-- Press.

BIJOUB way & south St. Ev. 4:15. "Scores sensatio Sure & Great HEARTS AFLAME ACADEMY OF MUSIC, 14th St.Airvig Pl. BOSTONIANS IN ROBIN HOOD Prices 25, 50, 75, \$1. Mais. Wed & Sai 2. Fygs. \$15.

ARADINE GARDENS. 424 St. LAST WEEK!
18 Vaudeville Acts & Creatore & Band of 60.
VICTORIA BEG. NEXT LULU GLASER in
THEATRE MONDAY. BOLLY VARDEN.

EDEN WORLD IN WAX: New Groups.
CINEMATOGRAPH.
Coronation King Edward Aft. & Bys.
DE KOLTA, the Wizard, to-night at 9. 14th St. Theatre, near 6th Av. Mats. Wed. & Sat. BRANDON TYNAN Biggest Production & in His New Romantic Play. Best Cast in New York. ROBERT EM MET. The Days of 1803.

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Mai Tues & Sat.
Masical Abourdity TWIRLY-WHIRLY AMERICAN 42D ST. AND 8TH AVE.
Mat. Daily, ex't Mon., 25c. HOODMAN BLIND.
Ted Marks' Big Concert Every Sunday Night. KEITH'S B'way BEST SHOW IN TOWN

STAR Lex. Av. & 107th St. Matinee Saturday.
THE BANDIT KING. 15,24, 35,
Nxt wk. TheCowboy & TheLady | 50 & 75c. HARLEM WARFIELD Commencing
OPERA
HOUSE In "The Auctioneer." Scats on Sale.

KALTENBORN Circle Auditorium, B' way & 60th. To-night, \$20, 50c.
That's all. 408th Concert. Strauss&Operationgt Wallack's, B'wy&30th, Evgs, 9:30, Mats, Wed, & Sat. 3rd Week. The Latest Laugh Maker. ALICE FISCHER to Grace Livingston MRS. JACK Furniss' Comedy. GRAND for Children's Sake Source

DUSS Columbus Avenue & 66th Street.
Seventeenth Week. 118th Concert
To-night. Last 2 weeks.